



August 1, 2019

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: Notice of Ex Parte Communication, GN Docket No. 18-122; MD Docket No. 19-105

Dear Ms. Dortch:

On July 30, the undersigned had a telephone conference with Nicholas Degani and Nirali Patel of Chairman Pai's office. During this call, I discussed the National Association of Broadcasters' (NAB's) positions with respect to the Commission's proposed regulatory fee schedule for Fiscal Year 2019<sup>1</sup> and expanded operations in the C-band.<sup>2</sup>

NAB reiterated that the Commission's proposed regulatory fee schedule had a few significant flaws. Most notably, the Commission inexplicably raised radio station fees by approximately 18%-20%. The Notice of Proposed Rulemaking did not explain these changes and no amount of forensic science to re-engineer how this dramatic raise was justified could be done. NAB recognizes the Commission is under time pressure to complete the rulemaking, but asks the Commission to reduce the proposed fees for radio to more accurately reflect the Commission's budget and the rather modest staffing required to oversee the Commission's regulation of the radio industry. In addition, NAB addressed Commission questions regarding two issues NAB raised in its comments regarding television station fees; namely, the exponential rise in fees for some satellite television stations and an inequitable consequence for VHF stations as a result of the Commission's overall shift in how it assessed fees for television stations.

With respect to the C-band, NAB explained its significant concern that continued pressure to increase the amount of spectrum reallocated in this proceeding greatly risks breaking the

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<sup>1</sup> *Assessment and Collection of Regulatory Fees for Fiscal Year 2019*, Notice of Proposed Rulemaking, MD Docket No. 19-105, FCC 19-37 (Oct. 24, 2018).

<sup>2</sup> *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, Order and Notice of Proposed Rulemaking, GN Docket No. 18-122, GN Docket No. 17-183, FCC 18-91 (July 13, 2018).

content distribution system that serves well over a hundred million American households today. Forcing immediate reallocation of spectrum above a level that would preserve C-band service for content distribution could lead to service disruption for the viewers and listeners broadcasters serve. NAB urged the Commission to move forward with reallocation of 200 MHz of the C-band, as that approach generally speaking can both free up a large swath of spectrum while protecting existing users.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Rick Kaplan", with a long horizontal line extending to the right.

Rick Kaplan  
General Counsel and Executive Vice President,  
Legal and Regulatory Affairs  
National Association of Broadcasters

cc: Nicholas Degani  
Nirali Patel